

**UNITED STATES OF AMERICA
STATE OF ILLINOIS, COUNTY OF MCHENRY
IN THE CIRCUIT COURT OF THE TWENTY SECOND JUDICIAL CIRCUIT**

PEOPLE OF THE STATE OF ILLINOIS OR

A MUNICIPAL CORPORATION

-VS-

Joann D Cunningham

DEFENDANT

COMPLAINT

19CF289

CASE NUMBER

SAO NUMBER

DOCUMENT CONTROL NUMBER

CLPD-19-007922

REPORT NUMBER

CITY, VILLAGE, TOWNSHIP
AND CODE

FILED
McHenry County, Illinois

APR 25 2019

KATHERINE M. KEEFE
Clerk of the Circuit Court

File Stamp Here

COUNT ONE

In the name and by the authority of the People of the State of Illinois _____ Detective Eitel _____ hereinafter called the complainant, on oath charges that on or about the 15th day of April, 2019 in McHenry County, Illinois _____ Joann D Cunningham _____ hereinafter called the defendant committed the offense of First Degree Murder

in violation of Chapter 720 Act 5 Section 9-1(a)(1) of the Illinois Compiled Statutes in that said Defendant

without lawful justification, forced A.F. (Minor child, DOB 10/14/13), to remain in a cold shower for an extended period of time, and/or struck A.F. on or about his body, knowing said acts would cause the death of A.F., thereby causing the death of A.F.

Contrary to the form of the Statute in such case made and provided and against the peace and dignity of the People of the State of Illinois

Felony Misdemeanor Class M

COUNT TWO

In the name and by the authority of the People of the State of Illinois _____ Detective Eitel _____ hereinafter called the complainant, on oath charges that on or about the 15th day of April, 2019 in McHenry County, Illinois _____ Joann D Cunningham _____ hereinafter called the defendant committed the offense of First Degree Murder

in violation of Chapter 720 Act 5 Section 9-1(a)(2) of the Illinois Compiled Statutes in that said Defendant

without lawful justification, forced A.F. (minor child, DOB 10/14/13), to remain in a cold shower for an extended period of time, and/or struck A.F. on or about his body knowing that said acts created a strong probability of death or great bodily harm to A.F.

Contrary to the form of the Statute in such case made and provided and against the peace and dignity of the People of the State of Illinois

Felony Misdemeanor Class M

(VERIFICATION ON LAST PAGE)

RIGHTS EXPLAINED

BY AWB

DATE 4/25/19

Jurisdiction Name/Code

19CF289

Case Number

SAO Number

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CLPD-19-007922

Report Number

COUNT 3

In the name and by the authority of the People of the State of Illinois _____ Detective Eitel _____ hereinafter called the complainant, on oath charges that on or about the 15th day of April, 2019 in McHenry County, Illinois _____ Joann D Cunningham _____ hereinafter called the defendant committed the offense of First Degree Murder

in violation of Chapter 720 Act 5 Section 9-1(a)(3) of the Illinois Compiled Statutes in that said Defendant

without lawful justification, while committing or attempting to commit a forcible felony, aggravated battery, in violation of section 12-3.05(b)(1), of Act 5, of Chapter 720 of the Illinois Compiled Statutes, forced A.F. (minor child, DOB 10/14/13) to remain in a cold shower for an extended period of time and/or struck A.F. on or about his body thereby causing the death of A.F.

Contrary to the form of the Statute in such case made and provided and against the peace and dignity of the People of the State of Illinois

Felony Misdemeanor

Class M

COUNT 4

In the name and by the authority of the People of the State of Illinois _____ Detective Eitel _____ hereinafter called the complainant, on oath charges that on or about the 15th day of April, 2019 in McHenry County, Illinois _____ Joann D Cunningham _____ hereinafter called the defendant committed the offense of First Degree Murder

in violation of Chapter 720 Act 5 Section 9-1(a)(3) of the Illinois Compiled Statutes in that said Defendant

without lawful justification, while committing or attempting to commit a forcible felony, aggravated battery, in violation of Section 12-3.05(b)(2), of Act 5, of Chapter 720 of the Illinois Compiled Statutes, forced A.F. (minor child, DOB 10/14/13) to remain in a cold shower for an extended period of time and/or struck A.F. on or about his body thereby causing the death of A.F.

Contrary to the form of the Statute in such case made and provided and against the peace and dignity of the People of the State of Illinois

Felony Misdemeanor

Class M

(VERIFICATION ON LAST PAGE)

RIGHTS EXPLAINED

BY ME

DATE 7/25/19

Jurisdiction Name/Code

19CF289
Case Number

SAO Number

Document Control Number

CLPD-19-007922

Report Number

COUNT 5

In the name and by the authority of the People of the State of Illinois _____ Detective Eitel _____ hereinafter called the complainant, on oath charges that on or about the 15th day of April, 2019 in McHenry County, Illinois _____ Joann D Cunningham _____ hereinafter called the defendant committed the offense of First Degree Murder

in violation of Chapter 720 Act 5 Section 9-1(a)(3) of the Illinois Compiled Statutes in that said Defendant

without lawful justification, while committing or attempting to commit a forcible felony, aggravated domestic battery, in violation of Section 12-3.3 (a) of Act 5 of Chapter 720 of the Illinois Compiled Statutes, forced A.F. (minor child, DOB 10/14/13) to remain in a cold shower for an extended period of time, and/or struck A.F. on or about his body thereby causing the death of A.F.

Contrary to the form of the Statute in such case made and provided and against the peace and dignity of the People of the State of Illinois

Felony Misdemeanor Class M

COUNT 6

In the name and by the authority of the People of the State of Illinois _____ Detective Eitel _____ hereinafter called the complainant, on oath charges that on or about the 15th day of April, 2019 in McHenry County, Illinois _____ Joann D Cunningham _____ hereinafter called the defendant committed the offense of Aggravated Battery

in violation of Chapter 720 Act 5 Section 12-3.05(b)(1) of the Illinois Compiled Statutes in that said Defendant

in committing a battery, knowingly and without legal justification, forced A.F., a minor child under the age of 13 years (10/14/13), to remain in a cold shower for an extended period of time, and/or struck A.F. on or about his body, thereby causing great bodily harm, in that it caused A.F.'s death

Contrary to the form of the Statute in such case made and provided and against the peace and dignity of the People of the State of Illinois

Felony Misdemeanor Class X

(VERIFICATION ON LAST PAGE)

**RIGHTS EXPLAINED
BY MES
DATE 4/25/19**

Jurisdiction Name/Code

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Case Number

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CLPD-19-007922

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COUNT 7

In the name and by the authority of the People of the State of Illinois _____ Detective Eitel _____ hereinafter called the complainant, on oath charges that on or about the 15th day of April, 2019 in McHenry County, Illinois Joann D Cunningham hereinafter called the defendant committed the offense of Aggravated Domestic Battery in violation of Chapter 720 Act 5 Section 12-3.3(a) of the Illinois Compiled Statutes in that said Defendant

in committing a domestic battery in violation of Section 12-3.2(a)(1) of Act 5 of Chapter 720 of the Illinois Compiled Statutes, knowingly caused great bodily harm to A.F. (minor child, DOB 10/14/13), a family member of the defendant, in that said defendant forced A.F. to remain in a cold shower for an extended period of time and/or struck A.F. on or about the body causing A.F.'s death.

Contrary to the form of the Statute in such case made and provided and against the peace and dignity of the People of the State of Illinois

Felony Misdemeanor Class 2

COUNT 8

In the name and by the authority of the People of the State of Illinois _____ Detective Eitel _____ hereinafter called the complainant, on oath charges that on or about the 15th day of April, 2019 in McHenry County, Illinois Joann D Cunningham hereinafter called the defendant committed the offense of Aggravated Battery in violation of Chapter 720 Act 5 Section 12-3.05(b)(2) of the Illinois Compiled Statutes in that said Defendant

in committing a battery, knowingly and without legal justification, caused bodily harm to A.F., a minor child under 13 years of age (DOB 10/14/13) in that said defendant forced A.F. to remain in a cold shower for an extended period of time, and/or struck A.F. on or about his body.

Contrary to the form of the Statute in such case made and provided and against the peace and dignity of the People of the State of Illinois

Felony Misdemeanor Class 3

(VERIFICATION ON LAST PAGE)

**RIGHTS EXPLAINED
BY MCC
DATE 4/25/19**

Jurisdiction Name/Code

19CF289

Case Number

SAO Number

COUNT 9

Document Control Number

CLPD-19-007922

Report Number

In the name and by the authority of the People of the State of Illinois _____ Detective Eitel _____ hereinafter called the complainant, on oath charges that on or about the 17th day of April, 2019 in McHenry County, Illinois Joann D Cunningham hereinafter called the defendant committed the offense of Failure to Report Missing or Child Death in violation of Chapter 720 Act 5 Section 10-10(a) of the Illinois Compiled Statutes in that said Defendant

the parent of A.F., a child under 13 years of age (DOB 10/14/13), failed to report the death of A.F. to law enforcement officers within 24 hours of death of A.F., when said defendant knew A.F. to be deceased.

Contrary to the form of the Statute in such case made and provided and against the peace and dignity of the People of the State of Illinois

Felony Misdemeanor Class 4

COUNT 10

In the name and by the authority of the People of the State of Illinois _____ Detective Eitel _____ hereinafter called the complainant, on oath charges that on or about the 4th day of March, 2019 in McHenry County, Illinois Joann D Cunningham hereinafter called the defendant committed the offense of Aggravated Battery in violation of Chapter 720 Act 5 Section 12-3.05(b)(1) of the Illinois Compiled Statutes in that said Defendant

in committing a battery, knowingly and without legal justification, struck A.F., a minor child under 13 years of age (DOB 10/14/13), on or about his body thereby causing great bodily harm.

Contrary to the form of the Statute in such case made and provided and against the peace and dignity of the People of the State of Illinois

Felony Misdemeanor Class X

RIGHTS EXPLAINED

(VERIFICATION ON LAST PAGE)

BY MRCDATE 4/25/19

Jurisdiction Name/Code

19CF289

Case Number

SAO Number

Document Control Number

CLPD-19-007922

Report Number

COUNT 11

In the name and by the authority of the People of the State of Illinois _____ Detective Eitel _____ hereinafter called the complainant, on oath charges that on or about the 4th day of March, 2019 in McHenry County, Illinois _____ Joann D Cunningham _____ hereinafter called the defendant committed the offense of Aggravated Domestic Battery

in violation of Chapter 720 Act 5 Section 12-3.3(a) of the Illinois Compiled Statutes in that said Defendant

in committing a domestic battery in violation of Section 12-3.2(a)(1) of Act 5 of Chapter 720 of the Illinois Compiled Statutes, knowingly caused great bodily harm to A.F. (minor child, DOB 10/14/13), a family member of the defendant, in that said defendant struck A.F. on or about the body, causing great bodily harm to A.F.

Contrary to the form of the Statute in such case made and provided and against the peace and dignity of the People of the State of Illinois

Felony Misdemeanor

Class 2

COUNT 12

In the name and by the authority of the People of the State of Illinois _____ Detective Eitel _____ hereinafter called the complainant, on oath charges that on or about the 4th day of March, 2019 in McHenry County, Illinois _____ Joann D Cunningham _____ hereinafter called the defendant committed the offense of Aggravated Battery

in violation of Chapter 720 Act 5 Section 12-3.05(b)(2) of the Illinois Compiled Statutes in that said Defendant

in committing a battery, knowingly and without legal justification, caused bodily harm to A.F., a minor child under 13 years of age (DOB 10/14/13) in that defendant struck A.F. on or about the body, causing bodily harm.

Contrary to the form of the Statute in such case made and provided and against the peace and dignity of the People of the State of Illinois

Felony Misdemeanor

Class 3

RIGHTS EXPLAINED**BY MCE****DATE 4/25/19**

(VERIFICATION ON LAST PAGE)

19CF289

Case Number

CRIMINAL COMPLAINT VERIFICATION

JURISDICTION NAME/CODE

SAO Number

Document Control Number

CLPD-19-007922

Report Number

I have read this complaint containing

12

count/s, and all allegations herein are true and correct.



4471

NEXT COURT DATE/TIME:

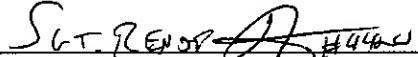
Detective Eitel

Complainant

Subscribed and sworn before me this

this 24 day of APRIL 2019

Court Location:



JUDGE/CIRCUIT COURT CLERK / NOTARY PUBLIC

DEPUTY OF THE CIRCUIT CLERK

A/O _____ Badge Number _____

Copy of Complaint delivered to said Defendant, rights explained and Probable Cause found (if warrantless arrest)

TOTAL BOND \$ _____

this 25th day of APRIL 2019


JUDGE

DEFENDANT INFORMATION:

| | | |
|-------------------------|--------|-------|
| Cunningham | D | Joann |
| DEFENDANT'S NAME - LAST | MIDDLE | FIRST |

| | | | | |
|---------------------|--------------|-------|----------|--------------|
| 94 Dole Ave | Crystal Lake | IL | 60014 | 815-221-9102 |
| DEFENDANT'S ADDRESS | CITY | STATE | ZIP CODE | TELEPHONE |

| | | |
|---------------|------------------|-------|
| 2/28/1983 | C55242483659 | IL |
| DATE OF BIRTH | DRIVER'S LICENSE | STATE |

WARANTLESS ARREST Yes No Sex _____ F _____ Race _____ W _____DATE / TIME OF ARREST 4/24/2019Co-Defendant(s): Yes No (Attach or identify to clerk)**RIGHTS EXPLAINED**BY MEDATE 4/25/19